

NAVIGATION AND COMMERCE

Convention, with separate article, signed at Washington June 24, 1822

Ratified by France November 6, 1822

Senate advice and consent to ratification January 31, 1823

Ratified by the President of the United States February 12, 1823

Ratifications exchanged at Washington February 12, 1823

Entered into force February 12, 1823; effective from October 1, 1822

Proclaimed by the President of the United States February 12, 1823

Article 6 abrogated by the United States July 1, 1916, in accordance with Seamen's Act of March 4, 1915;¹ article 7 modified by agreement of July 17, 1919²

8 Stat. 278; Treaty Series 87³

CONVENTION OF NAVIGATION AND COMMERCE BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY THE KING OF FRANCE AND NAVARRE

The United-States of America, and His Majesty the King of France and Navarre, being desirous of settling the relations of Navigation and Commerce between their respective Nations, by a temporary Convention reciprocally beneficial and satisfactory, and thereby of leading to a more permanent and comprehensive arrangement, have respectively furnished their full powers in manner following, that is to say: the President of the United-States, to John Quincy Adams, their Secretary of State; and His Most Christian Majesty, to the Baron Hyde de Neuville, Knight of the Royal and Military Order of S^t Louis, Commander of the Legion of Honor, Grand-Cross of the Royal American Order of Isabella the Catholic, His Envoy extraordinary and Minister plenipotentiary near the United-States; who, after exchanging their full powers, have agreed on the following Articles.

ARTICLE 1st

Articles of the growth, produce, or manufacture of the United-States, imported into France in vessels of the United-States, shall pay an additional duty not exceeding twenty francs per ton of mer-

¹ 38 Stat. 1164.

² TS 650, *post*, p. 899.

³ For a detailed study of this convention, see 3 Miller 77.

chandise, over and above the duties paid on the like articles, also of the growth, produce, or manufacture of the United-States when imported in French vessels.

ARTICLE 2

Articles of the growth, produce, or manufacture of France, imported into the United-States in French Vessels, shall pay an additional duty not exceeding three dollars and seventy five cents per ton of merchandize, over and above the duties collected upon the like articles, also of the growth, produce or manufacture of France, when imported in Vessels of the United-States.

ARTICLE 3

No discriminating duty shall be levied upon the productions of the soil or industry of France, imported in French bottoms into the Ports of the United-States for transit or re-exportation.

Nor shall any such duties be levied upon the productions of the soil or industry of the United-States imported in Vessels of the United-States into the Ports of France for transit or re-exportation.

ARTICLE 4

The following quantities shall be considered as forming the ton of merchandise for each of the Articles hereinafter specified:

Wines—four 61 gallon-hogsheads or 244 gallons of 231 cubic inches American measure.

Brandies—and all other liquids, 244 gallons.

Silks, and all other dry goods, and all other articles usually subject to measurement: forty two cubic feet French in France, and fifty cubic feet American measure in the United-States.

Cotton—804 ^{lb} avoir dupois or 365 Kilogrammes.

Tobacco—1,600 ^{lb} avoir dupois or 725 Kilogrammes.

Ashes, pot and pearl, 2240 ^{lb} avoir dupois or 1016 Kilog^r

Rice—1600 ^{lb} avoir dupois or 725 Kilogrammes.

And for all weighable Articles not specified, 2240 ^{lb} avoir dupois or 1016 Kilogrammes.

ARTICLE 5

The duties of Tonnage, light money, Pilotage, Port-charges, brokerage and all other duties upon foreign shipping, over and above those paid by the National shipping in the two Countries respectively, other than those specified in Articles 1 and 2 of the present Convention, shall not exceed, in France for vessels of the United-States, five francs per ton of the Vessel's American Register, nor, for Vessels of France in the United-States, ninety four cents per ton of the Vessel's French passport.

ARTICLE 6 ⁴

The contracting parties, wishing to favor their mutual Commerce, by affording in their Ports every necessary assistance to their respective vessels, have agreed that the Consuls and Vice-Consuls may cause to be arrested the sailors being part of the crews of the vessels of their respective Nations, who shall have deserted from the said vessels, in order to send them back and transport them out of the Country. For which purpose the said Consuls and Vice-Consuls shall address themselves to the Courts, Judges and Officers competent, and shall demand the said deserters in writing, proving by an exhibition of the Registers of the Vessel, or ship's roll, or other official Documents, that those men were part of the said crews; and on this demand so proved (saving however where the contrary is proved) the delivery shall not be refused; and there shall be given all aid and assistance to the said Consuls and Vice-Consuls for the search, seizure and arrest of the said deserters, who shall even be detained, and kept in the prisons of the Country, at their request and expense, until they shall have found an opportunity of sending them back. But if they be not sent back within three months, to be counted from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.

ARTICLE 7 ⁵

The present temporary Convention shall be in force for two years from the first day of October next, and even after the expiration of that term, until the conclusion of a definitive Treaty, or until one of the Parties shall have declared its intention to renounce it; which declaration shall be made at least six months beforehand.

And in case the present Arrangement should remain without such declaration of its discontinuance by either party, the extra-duties specified in the 1st and 2^d articles shall, from the expiration of the said two years, be on both sides diminished by one fourth of their whole amount, and afterwards by one fourth of the said amount from year to year, so long as neither party shall have declared the intention of renouncing it as above stated.

ARTICLE 8

The present Convention shall be ratified on both sides, and the ratifications shall be exchanged within one year from the date hereof, or sooner if possible. But the execution of the said Convention shall commence in both Countries on the first of October next, and shall be effective, even in case of non-ratification, for all such vessels as may have

⁴ Abrogated by the United States July 1, 1916, in accordance with the Seamen's Act of Mar. 4, 1915 (38 Stat. 1164).

⁵ For agreement of July 17, 1919, modifying art. 7, see TS 650, *post*, p. 899.

sailed *bonâ fide*, for the Ports of either Nation, in the confidence of its being in force.

In faith whereof, the respective Plenipotentiaries have signed the present Convention, and have thereto affixed their seals at the City of Washington, this 24th day of June, A. D. 1822.

JOHN QUINCY ADAMS [SEAL]

G. HYDE DE NEUVILLE [SEAL]

SEPARATE ARTICLE

The extra-duties levied on either side before the present day, by virtue of the Act of Congress of 15 May 1820, and of the Ordinance of 26 July of the same year, and others confirmative thereof, and which have not already been paid back, shall be refunded.

Signed and Sealed as above, this 24th day of June 1822.

JOHN QUINCY ADAMS [SEAL]

G. HYDE DE NEUVILLE [SEAL]